29th November 1928]

Alleged hardships of the undertrial prisoners in the South Indian Railway conspiracy trial at Trichinopoly.

* 854-B Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether in the South Indian Railway conspiracy trial now proceeding at Trichinopoly the accused are made to walk three to four miles from the Central Jail to the Court every morning;

(b) whether they have to take their lunch in verandas which are ill-kept;

(c) whether there is no provision for any room for defence lawyers to meet their clients and take instructions from them;

(d) whether the Government have received any complaints in regard to this matter from Mr. N. S. Ramaswami Ayyangar, Advocate for the accused;

(e) whether it is a fact that the police have refused to supply any bus for the conveyance of the accused from the Jail to the Court-house and back;

(f) whether the accused have to walk back again three to four miles after the rising of the Court for the day at 5 or 5-30 p.m. reaching the jail after darkness sets in which interferes with their prescribed meal time; and

(g) whether the Government have taken any action in the matter and if not, why not?

A.—(a) & (d) to (g) The hon. Member is referred to the answer given to question No. 854-A.

(b) & (c) The Government have no information, but have called for it.

MR. S. SATYAMURTI:—"May I know whether the Government have since issued orders to the police that the prisoners should be carried to the Court and back in buses?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes, Sir."

Alleged hardships of undertrial prisoners.

* 855 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Law Member be pleased to state—

(a) whether the Government have received complaints about the hardship caused to the undertrial prisoners—invalids and women—standing all the time they are being tried; and

(b) whether the Government propose to provide seating arrangements in docks in all criminal courts in the Province?

A.—(a) No.
(b) No.

Orders passed by the magistracy in this Presidency under section 144, Criminal Procedure Code, from 1920—27.

* 856 Q.—Mr. K. V. R. SWAMI: Will the hon. the Law Member be pleased to state—

(a) the number of cases in which orders were passed by all classes of magistrates under section 144, Criminal Procedure Code, in this Presidency in each of the years 1920 to 1927, both years inclusive, and how many of them were for preventing political meetings and processions;

(b) how many of them were issued with the previous approval of the Government and what were the reasons;

(c) whether the orders were re-issued in any particular cases; and

(d) whether, with regard to each case, any prosecutions were lodged for violation of the orders passed and the number of persons convicted in such prosecutions?

A.—(*a*) *to* (*d*) Government have no information.

Mr. K. V. R. Swami :—" Will the hon. the Law Member be pleased to call for the information?"

The hon. Diwan Bahadur M. Krishnan Nayar :—" No, Sir, it won't serve any useful purpose."

Remand of Abdul Gani to custody by the Sub-Magistrate, Koilpatti.

*857 Q.—Mr. S. Satyamurti: Will the hon. the Law Member be pleased to state whether one Abdul Gani was remanded to custody in R.C. No. 19/27 in the Court of the Sub-Magistrate of Koilpatti in pursuance of a circular issued by the District Magistrate, Tinnevelly, that sub-magistrates trying P.R. cases should remand the accused to custody at the time of commitment to the Sessions Court and whether he was in jail for nearly a month though bail was offered in the Sub-Magistrate's Court at Koilpatti?

A.—The Government have called for a report.

Mr. S. Satyamurti :—" Have the Government received the report?"

The hon. Diwan Bahadur M. Krishnan Nayar :—" No, Sir."

Mr. S. Satyamurti :—" If the Government have not received the report, why is the question answered in the agenda?"

The hon. the President :—" Because the hon. Member asked the question."

Alleged prohibition of a public meeting at Tiruvannamalai by the Sub-Magistrate.

*858 Q.—Mr. S. Satyamurti: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that a public meeting held under the Congress auspices at Tiruvannamalai on 8th November 1928 was dispersed by the stationary sub-magistrate with the aid of police force present at the place;

(b) whether any order to disperse was given to the meeting under any provisions of the law; and

(c) the reasons why such a procedure was adopted?

A.—(*a*) *to* (*c*) The Government have called for a report.

Mr. S. Satyamurti :—" Have the Government since received the report?"

The hon. Diwan Bahadur M. Krishnan Nayar :—" No, Sir."

Mr. S. Satyamurti :—" When the report is received, will it be placed on the table of the House?"

The hon. Diwan Bahadur M. Krishnan Nayar :—" I shall consider my friend's suggestion."